

Office of the Legislative Auditor

State of Montana



Report to the Legislature

October 1993

Performance Audit Report

Foster Care Facility Licensing and Other Related Issues

Department of Family Services

This report contains recommendations for improvements in procedures used by the Department of Family Services for licensing foster care providers. The recommendations address:

- ▶ Identifying and monitoring foster care needs.
- ▶ Rate setting and contracting.
- ▶ Communication with foster parents.
- ▶ Training.
- ▶ Licensing standards, policies, and procedures.

This report also contains information related to foster care program operations within the department.

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PERFORMANCE AUDITS

Performance audits conducted by the Office of the Legislative Auditor are designed to assess state government operations. From the audit work, a determination is made as to whether agencies and programs are accomplishing their purposes, and whether they can do so with greater efficiency and economy. In performing the audit work, the audit staff uses audit standards set forth by the United States General Accounting Office.

Members of the performance audit staff hold degrees in disciplines appropriate to the audit process. Areas of expertise include business and public administration, statistics, economics, computer science, communications, and engineering.

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October 1993

The Legislative Audit Committee
of the Montana State Legislature:

This is our performance audit of Foster Care Facility Licensing at the Department of Family Services. This report contains recommendations concerning program administration and management of foster care providers. Department responses are contained at the end of the report.

We wish to express our appreciation to the staff of the department for their cooperation and assistance.

Respectfully submitted,

Scott A. Seacat
Legislative Auditor

Office of the Legislative Auditor

Performance Audit

Foster Care Facility Licensing and Other Related Issues

Department of Family Services

Members of the audit staff involved in this audit were Dave Gould,
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Appointed and Administrative Officials

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Jack Ellery, Administrator, Management Support Services
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Shirley Brown, Administrator, Program Management Division

Charlie McCarthy, Chief, Treatment Services Unit

Regions

Dave Bennetts, Northcentral Regional Administrator

Bill Collins, Southwestern Regional Administrator

Vacant, Eastern Regional Administrator

Betty Petek, Southcentral Regional Administrator

Warren Wright, Western Regional Administrator

Report Summary

Introduction

The National State Auditor's Association is conducting a multi-state project addressing foster care. As part of the multi-state project, we conducted a performance audit of the Department of Family Services' (DFS) system for licensing, classifying, contracting, and monitoring foster care facilities. Objectives of the audit included gathering appropriate information on the department's foster care program and determining whether the department's quality assurance system assures the overall welfare of children in foster care. We also determined if DFS evaluates and assesses the level of success of its foster care programs.

Foster Care

The Montana Code Annotated (MCA) defines foster care as full-time care of youth in a residential setting for the purpose of providing food, shelter, security and safety, guidance, direction, and, if necessary, treatment of youth who are removed from, or are without care and supervision of their parents or guardian. The MCA establishes a system of foster care for youths. DFS is responsible for administering funds, licensing facilities, developing and implementing standards, and maintaining management information relating to foster care.

The total number of children in foster care increased 47 percent from fiscal year 1984-85 to fiscal year 1991-92. Expenditures for family foster care increased 78 percent and residential treatment costs increased 264 percent during this same time period. These increases appear to be due to increases in cost of services. In fiscal year 1991-92, there were 2,851 children in foster care placed through the department's Child Protective Services program.

Facilities Licensed

There are ten types of foster care facilities licensed by DFS. Three of these are youth care facilities including family foster homes, youth group homes, and child care agencies. Family foster homes care for one to six youths in a private home setting. Youth group homes care for 7 to 12 children, while child care agencies care for 13 or more youths.

Report Summary

Licensing Process

Approximately 320 full-time equivalent (FTE) positions work in some capacity with foster care. FTE positions include social workers, family resource specialists, supervisors, secretaries, regional administrators, and various program officers. Currently, there are 20.05 family resource specialists within the five DFS regions in Montana.

Family resource specialists are responsible for licensing and relicensing foster care facilities. Family resource specialists interview foster care applicants, check the safety of the home, look for health related concerns, and determine if the home will provide for the overall welfare of foster care children. Family resource specialists are also responsible for recruiting foster care providers.

After interviews and inspections are complete, family resource specialists make recommendations to supervisors whether or not to license applicants for foster care. The final approval/denial of a foster care license is the responsibility of family resource specialist supervisors. Once a license is approved, applicants attend an orientation session and a foster care license is issued. As of June 1993, there were more than 3,800 licensed foster care providers in Montana. Applicants may request a fair hearing if an application is not approved.

Relicensing and Ongoing Monitoring

Foster care facilities must be relicensed every year. The extent of the study is usually less than the initial licensing study. Once a facility has received its license, ongoing monitoring becomes the responsibility of DFS social workers. In practice, social workers are typically the only department personnel to physically visit foster care facilities during the year. For the most part, facilities operate with little to no ongoing license monitoring from DFS staff. Investigations of complaints about foster care facilities may be handled by family resource specialists, supervisors, social workers, or a combination of the three.

Foster Care Issues

During our audit, we noted areas where improvements are needed in the foster care program. The following sections summarize our findings.

Addressing Foster Care Needs in Montana

DFS does not identify and monitor foster care needs existing in Montana. In addition, the department does not analyze foster care placements or providers to identify demands for foster care services.

Department personnel state there are too few foster homes to meet current demands and needs. However, we found no documentation to support these claims. Recruitment of foster care providers is an informal and sporadic process. According to department policy, each local DFS office shall establish a continuous recruitment program sufficient to meet the needs of children and families in foster care. Family resource specialists we interviewed said they did not have the time or resources to recruit foster parents.

Some form of analysis of foster care needs is necessary. The department should develop and implement procedures to identify demands for and supply of foster care providers. In addition, the department should establish a recruitment program for foster care providers which meets current demands and the needs of children in Montana.

Rate Setting

Facilities are classified by the department according to the levels of supervision and treatment provided to children. Each foster care facility, other than family foster homes, completes a profile describing its programs. Facility profiles are used to classify facilities. Once classified, a matrix is used to determine pay rates.

Facility profiles are only examined by one department staff member. In addition, profile information is not verified, it is assumed to be true and correct. We believe the department should establish procedures to verify facility profile information to help ensure accurate classification and proper payment.

Report Summary

Contracting

According to department personnel and the Administrative Rules of Montana, foster care facilities must be licensed and must have a current contract with the department to be eligible for payments for foster care services. We found eight of nine contracts reviewed were signed more than 30 days past the effective starting date of the contract. A review completed by financial-compliance auditors noted eight facilities which did not have current contracts. Payments were made to these facilities even though contracts were not current.

The department needs to establish policies and procedures regarding contents of foster care facility contracts. DFS management must ensure contracts are current and information is valid. This will help protect the interests of the department and foster care facilities.

Communication with Foster Parents

Foster parents rely heavily on social workers to provide information about the foster children placed in their homes. Foster parents we talked with believe communication with department personnel could be improved. We found differences in methods and amounts of communication with foster parents. Social workers do not consistently provide all known information to foster parents, help obtain services, or use similar placement procedures. In addition, department personnel do not consistently inform foster parents of their rights as foster care providers.

According to department policy, social workers must maintain frequent contact with foster families as agreed on by the social worker and supervisor. However, frequency is not defined. In addition, social workers indicate large caseloads create an atmosphere where they "put out one fire," then "move on to the next one." This makes communication a low priority.

Communication between foster parents and DFS needs improvement. We recommend the department ensure foster parents are informed of their rights and the history of each child placed into their homes. DFS management should clarify department requirements for social worker contacts with foster

parents. Finally, the department should emphasize the importance of information sharing with foster parents. Improvements in communication will better prepare foster parents for placements. This should help diminish situations of foster parents becoming overwhelmed. Also, initial licensing caseloads and recruitment efforts may decrease.

Foster Parent Training

According to the Administrative Rules of Montana, foster parents must attend an orientation session prior to licensure. In addition, rules require at least 15 hours of training annually for re-licensure. We found inconsistencies in requirements for the amount of training foster parents must receive.

All offices we visited require orientation training prior to licensure. However, four of six DFS offices either withhold a license or provisionally license foster parents until completion of Model Approach to Partnerships in Parenting (MAPP) training. Two offices either do not believe they have authority to require MAPP training or are in a rural area and it is difficult to conduct a MAPP training session. In addition, foster parents do not consistently receive an additional 15 hours of training each subsequent year.

We believe the department should enhance its current policy regarding foster parent training. First, the department should require MAPP training prior to issuing a license. Next, the department should obtain training materials and provide these to family resource specialists for distribution to foster parents. Finally, DFS should enforce its current 15-hour training policy. This will better prepare foster parents which should increase their ability to provide proper care.

Family Resource Specialist Training

Family resource specialists are responsible for licensing foster care facilities. Although these personnel are required to make determinations of the ability of applicants to provide foster care and the ability of facilities to ensure a child's safety, they are not trained on proper techniques to accomplish this.

Report Summary

Lack of training contributes to family resource specialists following different licensing procedures. Family resource specialists need training on proper licensing procedures to ensure the safety of children in foster care. We recommend the department develop a formal training program for family resource specialists. Training will help clarify department policy and ensure consistency in licensing.

Licensing Standards

Family resource specialists are governed by statutes, administrative rules, and department policies when licensing foster care facilities. During our review, we noted differences in licensing standards which address similar situations. We identified a concern with the ability of family resource specialists to make decisions based on general standards. In addition, we found department policy is not kept up-to-date, and there are no DFS standards for some types of foster care facilities.

DFS management needs to provide more emphasis on updating standards, policies, and procedures. Without up-to-date licensing standards, inconsistency in operations and lack of assurance for children's safety may continue. Many of the inconsistencies noted during our review could be addressed by clarifying and updating licensing standards, policies, and procedures. In addition, DFS management should communicate the purpose and intent of licensing standards, policies, and procedures to department personnel.

File Documentation

We noted differences in the type of documentation maintained in family resource specialist files. We found variations in forms used to document the licensing process, and differences in what documents are maintained in files. We believe file information should provide an accurate history of licensing activity conducted by family resource specialists. Management should implement a file review process to ensure documentation meets department standards and supports department decisions.

Staffing Patterns

DFS management does not analyze staffing patterns to determine if current family resource specialist staff levels and distribution are adequate to perform necessary duties. During our review, we obtained family resource specialist workload/caseload information. It appears family resource specialists have heavy workloads which limit the amount of time they can spend on each specific duty.

Management has not given staffing analysis a high priority. Current staff levels and distribution are the same as they were when DFS was established in 1987. Our preliminary analysis of workload information indicates a correlation between staffing levels and caseload responsibilities. We recommend DFS establish procedures for obtaining family resource specialist workload/caseload data, and develop and implement procedures for analyzing staffing patterns. Management should analyze current family resource specialist staff levels and distribution and adjust accordingly.

Management Information

The department is currently working on development of a new management information system called CAPS (Child & Adult Protective Services). The department intends to contract with the private sector for system development and maintenance. In a prior audit, we recommended the department develop and implement a management information system. We still believe it is important for DFS to maintain adequate program and management information. We agree with the steps taken by the department to date, and believe DFS should continue with its plans to develop and implement CAPS.

Evaluation of Foster Care Programs

DFS lacks a system for evaluating the success of new or established foster care programs. If management does not evaluate success, there is no assurance the department's programs serve their purpose. We believe DFS needs to evaluate the effectiveness of foster care programs. This will enable management, when necessary, to modify procedures in order to accomplish program intent in an effective manner.

Chapter I

Introduction

Introduction

The National State Auditor's Association (NSAA) is conducting a multi-state project addressing foster care. Currently, seven states including Montana are participating in the NSAA project and examining foster care issues within their state. This report addresses our performance audit of the Department of Family Services' (DFS) system for licensing, classifying, contracting, and monitoring foster care facilities.

Audit Objectives

The objectives of the audit were to:

1. Gather appropriate information related to the department's foster care program.
2. Determine if the department's quality assurance system assures the overall welfare of children in foster care.
3. Determine capabilities of the department's existing management information system to provide data for properly managing foster care programs and the status of the proposed system.
4. Assess the department's effectiveness in analyzing and allocating staff resources for the foster care program.
5. Identify new programs or ideas being developed or used by the department to effectively administer foster care.
6. Determine if the department evaluates and assesses the level of success of foster care programs.

Audit Scope and Methodology

For the purpose of this audit, foster care includes:

Family foster homes.
Shelter care (designed for stays of less than 46 days).
Youth group homes (6 to 9 month stays).
Child care agencies.
Child placing agencies.
In-state and out-of-state residential treatment facilities.

Chapter I

Introduction

It does not include detention centers, psychiatric hospitals, or juvenile correctional facilities.

The audit scope included a review of the foster care licensing system currently used by the department. We visited six of sixteen DFS offices in three of five regions. We interviewed and observed seven family resource specialists (FRS) and four FRS supervisors to determine what licensing procedures they follow. In addition, we reviewed thirty-eight foster care facility files. We compared our observations to department licensing standards.

We visited twenty-two active foster care homes and facilities in three regions. We interviewed twenty-eight foster parents and several staff members from two group homes and two shelter care facilities. We obtained opinions on department requirements and activity regarding foster care licensing. We observed facilities to verify compliance with licensing standards.

We identified and evaluated procedures used by the department for recruiting foster care providers. We also identified strategies used by DFS to retain services provided by foster care providers. We reviewed training requirements and compared these requirements to actual training received by providers. We contacted six former foster parents to determine why they stopped providing foster care.

We also examined the department's foster care facility rate-setting and contracting system. We reviewed four profiles completed by facilities we visited and determined if DFS verified profile information. Through interviews with division staff, we identified procedures followed by the Community Services Division for establishing the daily payment rate each foster care facility receives. We also reviewed ten contracts between the department and facilities providing foster care services.

We reviewed staffing patterns and caseloads of family resource specialists. We assessed effectiveness of department efforts for obtaining and allocating staff resources. We identified current management information maintained by the department

regarding foster care. We evaluated information used by the department for tracking foster care program performance and effectiveness. During our audit, we monitored the continuing development of DFS's new automated information system, CAPS (Child and Adult Protective Services).

We also evaluated the department's quality assurance system. We talked with staff and reviewed documentation to determine if the department's system aids in increasing program efficiency and effectiveness. We determined if DFS has a system for measuring program success. We collected current information on family preservation and other new programs used by the department. We gathered available program and cost data.

The audit was conducted in accordance with governmental auditing standards for performance audits. We did not specifically test compliance with state laws and administrative rules relating to foster care. However, no significant instances of noncompliance came to our attention while conducting our audit work.

Related Audits

Our office recently completed several audits addressing various aspects of foster care in Montana. These include: Child Protective Services (CPS) Performance Audit 89P-29, CPS Follow-up 92SP-59, and Financial-Compliance Audit of DFS for fiscal years 1990-91 and 1991-92.

In addition, our office is currently conducting a performance audit of Department of Health and Environmental Sciences' licensing and certification duties. One area addressed in that audit is duplication of licensing responsibilities among state departments.

Chapter I

Introduction

Data Limitations

Government auditing standards require the disclosure of any constraints imposed on the audit approach because of data limitations. We were restricted in achieving our audit objectives because of limited program data.

One purpose of the NSAA project was a compilation of foster care data gathered by each participating state. We were unable to provide almost half of the requested information because of the limited capabilities of DFS's current management information system.

This data limitation also adversely affects management of foster care by the department. Types of limited or missing information included number of special needs children, number of placements for each child in foster care, time and location of placement for each child in foster care, reason child entered foster care, number of home spaces - filled and vacant, location of home spaces and number in each location, and dates that parents complete treatment plan requirements. The data limitations and their effects are discussed in detail in Chapters III and IV.

Issue for Further Study

During our audit work, we identified another department program, day care licensing, which warrants performance audit work. This audit work was not within the NSAA project scope. In addition, time restrictions precluded any expansion of scope to include review of this program.

Day care facilities are licensed and monitored by the department. However, only 20 percent of day care facilities are required to be inspected, per year, by department staff. The remaining 80 percent may not be visited by a department representative at any time during a year. Additions of new types of day care facilities have increased department paperwork and workload. Department personnel and other individuals expressed concerns with lack of reviews and investigations by the department, and lack of minimal standards.

Another issue requiring evaluation is whether licensing day care facilities is compatible with DFS's overall mission. According to statute, the department is responsible for providing protective services to children in danger of abuse and/or neglect, and providing services to youth in need of supervision or delinquent youth. While day care is a service for children, it is not a protective service or a service for delinquent youth or youth in need of supervision.

Chapter II

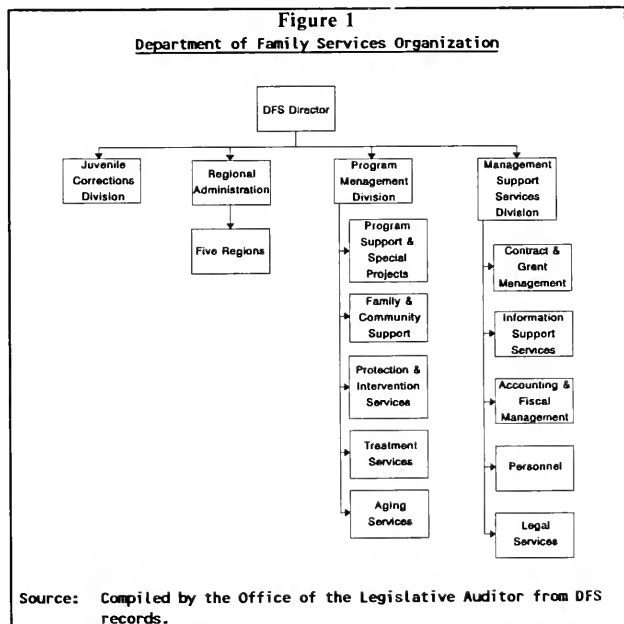
Background

Introduction

This chapter provides an overview of the Department of Family Services (DFS) and the Foster Care Program. It describes current procedures and provides general background information.

DFS Organization

The Department of Family Services recently reorganized. Changes occurred in central office management, regional authority, and program budgets. The following chart shows the department's current organization.



The department uses a regional management structure, with the state divided into five regions. These five DFS regions provide administrative, management, and supervisory functions over field operations. According to department officials, reorganization increases regional authority. Reorganization should not

Chapter II

Background

affect foster care licensing. However, other foster care issues may be affected.

Foster Care

Foster care is not defined in the Montana Code Annotated (MCA), although there are several statutory definitions which refer to substitute care. Webster's Dictionary defines foster as the "affording, receiving, or sharing nourishment, upbringing, or parental care though not related by blood or legal ties." Section 41-3-1102, MCA, defines substitute care as full-time care of youth in a residential setting for the purpose of providing food, shelter, security and safety, guidance, direction, and, if necessary, treatment of youth who are removed from, or are without care and supervision of their parents or guardian. Social workers and/or youth courts decide when a youth in foster care needs treatment. For our purposes, foster care is synonymous with substitute care and will be used throughout the rest of this audit report.

Foster Care Responsibilities

Section 41-3-1101, MCA, establishes a system of foster care for youths. This system is to provide facilities and services for youth placed out of their homes through a program using local nonprofit corporations, counties, and DFS.

Section 41-3-1103, MCA, defines the powers and duties of DFS. Relating to foster care, the department shall:

- Administer all state and federal funds for youth foster homes, youth group homes, and child-care agencies.
- License youth care facilities.
- Develop and implement standards for youth care facilities.
- Maintain various management information on youth care facilities and foster children to keep the legislature properly informed.

Separation of Foster Care Related Duties

Foster care related duties are handled by three DFS divisions. The Program Management Division develops statewide rules, policies, and procedures for foster care. Staff within this division provide consultation, technical assistance, and training to regional administrators and social worker supervisors on policies and procedures. Division staff also conduct internal reviews of foster care files for compliance with federal funding requirements.

The Program Management Division is responsible for developing the "continuum of services plan" mandated by the 1991 Legislature. The continuum of services plan is continually updated as needs change. DFS presented this plan to the Legislative Finance Committee in November 1991. The department updated the plan in May 1992 and February 1993.

DFS was mandated to implement this plan by July 1, 1993; however, the department is doubtful that the plan will be in place before October 1993. The plan will include family-based services, foster care, therapeutic foster care, group care, residential treatment, and psychiatric hospitalization for youth.

Division staff monitor services and DFS contracts with local providers of family-based services, therapeutic foster care, group homes, and child care agencies.

Regional Administration personnel are responsible for investigating all allegations of abuse and neglect and directs provision of protective services. The regions are also responsible for licensing family foster homes, group homes, and child care agencies. The regions approve placements and authorize financial payment for all children placed in foster care. Placement approval and payment authority encompass placements made by DFS social workers and Youth Court staff. One of the division's goals is to "...standardize procedures for managing the foster care budget." Another is to "...mandate a level of care which meets the needs of dependent, aged, or handicapped persons by inspecting and licensing day care, developmentally disabled community homes, adult foster homes, and youth care facilities."

Chapter II Background

The Contract and Grant Management section of the Management Support Services Division is responsible for foster care payments. This bureau also maintains management information relating to these payments. One goal of the division is "...to ensure prompt and accurate processing of payments to foster care and other service providers, and to ensure payments are processed according to state and federal regulations."

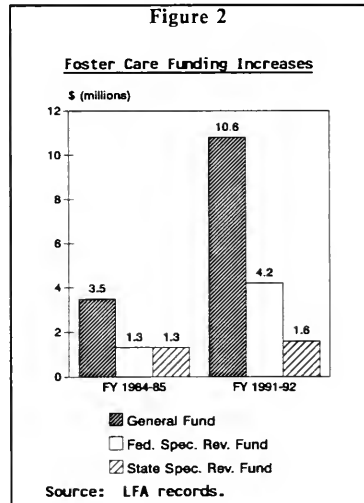
Funding

The Department of Family Services receives funding from General, State Special Revenue, and Federal Special Revenue funds.

According to Legislative Fiscal Analyst (LFA) reports, General Fund support increased from \$3.5 million to \$10.8 million from fiscal year 1984-85 to fiscal year 1991-92. Federal funds increased from \$1.3 million to \$4.2 million, while State Special Revenue funds (consisting of non-

assumed county, parental, and other contributions) increased from \$1.3 million to \$1.6 million during the same period. State Special Revenue and federal funds declined from 42 percent to 35 percent of total foster care funding, while state General Fund increased from 58 to 65 percent of the total from fiscal year 1984-85 to fiscal year 1991-92.

All expenditures for foster care increased from \$6.1 million in fiscal year 1984-85 to \$16.6 million in fiscal year 1991-92, an increase of 172 percent. Shifts in types of facilities children are placed in and increases in daily costs contribute to this growth in foster care expenditures.



Shift in Services

According to LFA, the ratio of group home and shelter care services to the total services provided remained constant from fiscal year 1984-85 to fiscal year 1991-92. However, there has been a 3 percent shift of services from family foster care to residential services which are much more restrictive and expensive. Residential treatment facilities provide various levels of supervision and treatment in a controlled environment. According to department personnel, there is a trend of shorter stays in foster homes and longer stays in residential treatment facilities.

The number of youths sent to residential treatment facilities also increased. It appears more youths are being identified with emotional problems. Children with emotional problems require more supervision and treatment. Thus, a residential treatment setting will better meet the needs of the child.

Increases in Costs

Expenditures for family foster care increased 78 percent from fiscal year 1984-85 to fiscal year 1991-92. In-state and out-of-state residential treatment costs increased 264 percent during this time period, according to LFA reports. As shown in Table 1, average daily cost for foster care has increased since fiscal year 1988-89. However, days paid per client per year remained relatively constant during this same time period. Thus, increases appear to be due to increases in cost of services rather than longer stays in foster care.

Chapter II Background

Table 1				
<u>Average Daily Cost for Foster Care</u>				
FY	FY	FY	FY	FY
<u>1988-89</u>	<u>1989-90</u>	<u>1990-91</u>	<u>1991-92</u>	<u>1992-93*</u>
\$ 20.97	\$ 23.00	\$ 24.43	\$ 27.99	\$ 29.38
<u>Average Days Paid Per Client</u>				
FY	FY	FY	FY	FY
<u>1988-89</u>	<u>1989-90</u>	<u>1990-91</u>	<u>1991-92</u>	<u>1992-93*</u>
119.79	116.06	115.41	116.76	118.77
* estimated				
Source: DFS records.				

Current Service Rates

Services provided under the foster care program range from family foster care (least restrictive, least expensive service) to in-state and out-of-state residential care (more expensive, most restrictive services). Other services include group homes, shelter care, and child care agencies. The following are current rates for these services.

Table 2

Current Service Rates

<u>Service</u>	<u>Rate(s)</u>	
Family Foster Care	\$ 10.74	or 13.54 ¹
Shelter Care	\$ 46.38	to 79.10
Group Homes	\$ 41.42	to 66.25
In-state Treatment	\$79.10	
Out-of-state Treatment	\$ 64.00	to 380.00
In-state Residential Treatment	\$155.00 or 190.00 ²	
Out-of-state Res. Treatment	\$190.00 (average)	
Therapeutic Group Homes:	<u>Room & Board³</u>	<u>Treatment⁴</u>
Moderate	\$22.34	\$ 80.03
Campus-based	\$26.56	\$123.66
Intensive	\$26.77	\$148.42

¹Rate depends on age of child

²Rate depends on type of facility

³DFS pays room and board

⁴Medicaid/State General Fund match: 72% / 28%

Source: Compiled by the Office of the Legislative Auditor from DFS records.

Staffing

The department had 599.60 full-time equivalent (FTE) positions during fiscal year 1991-92. Approximately 320 FTE work in some capacity with foster care. These FTE include social workers, family resource specialists, supervisors, secretaries, regional administrators, and various program officers.

Current Foster Care Activity

The total number of children in foster care has grown 47 percent from 2,390 in fiscal year 1984-85 to 3,520 in fiscal year 1991-92. These numbers include both youth court/probation placements and social worker (Child Protective Services) placements in foster care. The NSAA study is only examining children in foster care who had not been in trouble and involved with youth courts. In fiscal year 1991-92, there were 2,851 children in foster care placed through the Child Protective Services program. The following chart specifies age and sex of children in foster care during fiscal year 1991-92.

Chapter II Background

Table 3

Characteristics of Children in Foster Care
Fiscal Year 1991-92

<u>Sex</u>	<u>Number</u>	<u>Age</u>	<u>Number</u>
Male	1,366	Under 1	155
Female	1,485	1 to 5	779
Total	2,851	6 to 12	941
		13 to 18	922
		19 & over	39
		Unknown ¹	15
		Total	2,851

¹ Data not contained in management information system

Source: DFS management information system.

Facilities Licensed

Statutes define a youth care facility as being licensed by the department (DFS), or by an appropriate licensing authority in another state, in which foster care is provided to youths. Youth care facilities include:

Family foster homes - care for 1 to 6 youths in a private home setting (child lives with foster parents)

Youth group homes - care for 7 to 12 children

Child care agencies - care for 13 or more youths

In total, there are ten types of facilities licensed by DFS. The following table shows types and total number of facilities licensed as of June 1993.

Table 4
Facilities Licensed by DFS
(snapshot - June 1993)

<u>Type of Facility</u>	<u>Number Licensed</u>
Family foster homes	1,010
Youth group homes	43
Child care agencies	7
Child placing agencies	8
Developmentally disabled group homes	116
Detention centers	6
Adult foster homes	90
Day care (family, group, centers)	2,529
TOTAL	3,809

Source: Compiled by the Office of the Legislative Auditor.

Within these groups are additional classifications. For example, there are regular family foster homes, specialized family foster homes, and therapeutic family foster homes. The parents of therapeutic foster homes receive intensive training, supervision, consultation, and support services from program staff. This enables these parents to care for and treat children whose problems cannot be adequately addressed through regular family foster care services. Specialized family foster homes provide care to children whose needs cannot be adequately addressed through regular family foster homes. However, specialized family foster homes are only used for transition of a child from a hospital or residential treatment facility back into the community, or to prevent placement in a hospital, residential treatment facility, or correctional facility.

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Introduction

This chapter discusses procedures used by the Department of Family Services (DFS) to license, contract, and manage foster care facilities in Montana. Each section summarizes our findings, including recommendations for improvement. This chapter also includes background information on the processes used by DFS staff to license and relicense foster care facilities.

In managing foster care, the department has several responsibilities. These include identifying foster care needs in Montana, recruiting foster care providers to meet demands, establishing valid contracts with providers, and licensing approved foster care facilities.

Background - Licensing Process

The first step in the process involves a needs analysis and recruitment of foster care providers. Currently, the department has no formal procedures to analyze foster care needs and recruit providers to meet demands.

The next step in the process involves establishing payment rates and negotiating contracts. Family foster homes receive a flat rate based on the ages of children in their care. Thus, family foster homes are not involved with this part of the process.

Establishing Payment Rates

The department establishes payment rates for group homes and child care agencies. Group homes and child care agencies complete a facility profile describing how and what services are provided to children. A staff member of the Program Management Division examines the profiles and determines appropriate payment using a rate matrix established by the department. Payment rates relate to the level of treatment and supervision indicated in the facility profile. Currently, DFS does not verify facility profile information. As a result, foster care payments may not reflect actual services provided. However, the department recently hired new staff to review profile information during contract renewal. This issue is discussed in detail on page 25.

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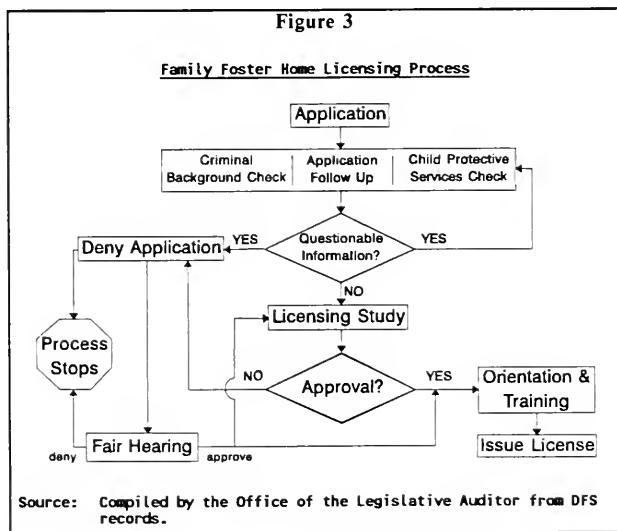
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Contracting

DFS has no obligation to purchase services from any foster care facility it licenses. However, once DFS determines services are needed, a contract is negotiated with the facility. Foster care facility contracts are standard, boiler-plate language contracts. The only difference between contracts is the payment rate section. Central office staff are responsible for contracts.

Licensing

Family resource specialists are responsible for licensing and relicensing foster care providers. We interviewed seven family resource specialists, four supervisors, observed activity, and reviewed files in three of the five DFS regions in Montana. We found similarities in the processes used by family resource specialists when licensing/relicensing foster care facilities. However, we noted differences in specific procedures used to accomplish these tasks. The following figure shows the general process used when licensing foster parents. The sections following the figure describe each step in the process.



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Application

The first step of the licensing process is recruitment of foster care providers. Recruiting is the responsibility of the family resource specialist (FRS). When someone shows interest in providing foster care, the usual procedure is for the FRS to send an application to the interested party. Some family resource specialists discuss foster care with interested people prior to sending out an application. Some family resource specialists send additional information on being foster care providers, while others rely on verbal communication of this type of information. Family resource specialists review application information when received from the applicant. If necessary, the family resource specialists follow up on information received.

All family resource specialists require an application form from all applicants. The application form requests basic information about the applicant's immediate family. The application form also requests four personal references not related to the applicant.

The FRS then interviews the applicant(s). The applicant(s) and the FRS discuss application information and follow up as necessary. A child protective services investigation is completed to determine whether the applicant was involved with any substantiated cases of child abuse and/or neglect. In addition, a criminal background investigation of the applicant(s) may be requested by the FRS.

If any "red flags" are identified, the FRS will follow up by talking with the applicant, making telephone calls or personal visits. The FRS will follow up until all questions are answered. If the FRS determines any "red flags" are serious concerns and the applicant(s) do not meet the department's requirements for being foster parents, the application is denied.

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Licensing Study

If the process continues, the FRS visits the applicant's home to conduct a licensing study. The study is broken into two areas: 1) applicant interview, and 2) inspection of the home. During the applicant interview, family resource specialists go over application information, discuss foster care, and try to get to know the applicant(s). Family resource specialists are responsible for determining whether or not an applicant is capable of being a foster care provider. Information obtained and discussed during these interviews can be very personal. Family resource specialists must gain the trust of the applicant(s) to ensure potential issues and/or concerns are identified and discussed in order to make informed decisions.

The second part of the licensing study is an inspection of the applicant's home. Department policies, administrative rules, and statutes govern what family resource specialists consider and require in a foster care facility. Family resource specialists check the safety of the home including existence of a fire extinguisher, smoke detectors, and safety fence around fire places/wood stoves. Other items reviewed include exits, medication storage, gun storage, electrical outlet covers, play areas, and yards. Family resource specialists also look for health related concerns such as well water contamination and cleanliness of the home and surrounding property.

Approval/Denial

After interviews and inspections are complete, family resource specialists write up a summary of the licensing study including applicant information and FRS observations. The FRS makes a recommendation to the supervisor whether or not to license the applicant(s) for foster care. The final approval/denial of the license is the responsibility of the FRS supervisor.

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Right to Fair Hearing

An applicant(s) may request a fair hearing if an application is not approved. The process starts with an administrative review conducted by the regional administrator. If the FRS/supervisor decision is supported, the applicant(s) can then request a fair hearing. Fair hearings are conducted by personnel from the department's central office. After a fair hearing, either the process continues where it left off or the applicant(s) are denied a foster care license.

Orientation/Training

Department policy requires applicants to attend an orientation session prior to being licensed. Model Approach to Partnerships in Parenting (MAPP), a training program developed and supported by the Child Welfare Institute, is the current training curriculum used by the department to provide training to foster and adoptive parents. However, foster parents are not required to complete MAPP training. Orientation also provides general information regarding foster care payment processes.

License Issued

After the applicant(s) attends the orientation session, a foster care license is issued. Licenses are valid for one year. Each license indicates number, sex, and ages of foster children which may be placed in the foster home. In addition, the license indicates any restrictions on placements and the dates the license is valid. As of June 1993, more than 3,800 foster care provider licenses had been issued by the department.

Provisional License

A provisional license is issued to an applicant if certain conditions must still be met. Provisional licenses can be issued for various reasons. For example, if a fire extinguisher is needed by the applicant, the FRS will issue a provisional license until the extinguisher is obtained.

A provisional license may also be issued temporarily. Children are sometimes placed into a home before the home has been licensed by an FRS. A provisional license is issued until the FRS completes a licensing study of the home and makes a recommendation for approval or denial of a regular license. A provisional

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license also enables the department to pay for foster care services provided by the foster parents prior to being licensed.

Relicensing and Ongoing Monitoring of Foster Care Facilities

Every year facilities must be re-licensed. Most family resource specialists use similar procedures for relicensing, but the extent of the study is usually less than the initial licensing study. Family resource specialists interview parents/staff, inspect facilities, and check compliance with department standards. A recommendation is made to a supervisor for re-licensure. In general, only one visit is made to the applicant's home for relicensing.

Once a facility has received its license and, if necessary, a contract, ongoing monitoring becomes the responsibility of DFS social workers. Field staff are responsible for ongoing monitoring of licenses. In practice, social workers are typically the only DFS staff to physically visit foster care facilities during the year. For the most part, facilities operate with little to no ongoing license monitoring from DFS staff.

Investigations of complaints about foster care facilities are handled by family resource specialists, supervisors, social workers, or a combination of the three. Procedures followed are determined by staff involved in the investigation. This team of department personnel may conduct interviews with parents, staff, children, or other people involved in the situation. They may also complete inspections of facilities. Department policy on investigations of foster care require written documentation of procedures.

Contract monitoring is different from license monitoring. As mentioned previously, central office staff are responsible for ongoing monitoring of contracts. However, there is no communication between field staff and central office staff regarding facility activity.

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Other Types of Foster Care Facilities

Procedures used by family resource specialists to license group homes, attention homes, child care agencies, and other types of foster care facilities are similar to the procedures identified above. However, licensing requirements for these types of facilities differ from one another and from those for family foster homes. Family resource specialists interview a sample of personnel and complete inspections of facilities.

The family resource specialists review facility documentation including personnel files, articles of incorporation, by-laws, etc. A FRS may have the local fire marshal and health and building code inspectors complete facility inspections during a licensing study. However, most family resource specialists complete facility inspections without the use of these professionals. For relicensing, family resource specialists also talk with a sample of children currently in the facility and review files for several more.

Addressing Foster Care Needs in Montana

DFS does not identify and monitor foster care needs existing in Montana. In addition, the department does not analyze foster care placements or providers to identify demands for foster care services.

As mentioned in Chapter II, foster care placements are increasing and types of placements are changing. As a result, some form of analysis of foster care needs is necessary. Current demands for services must be identified and compared to the current supply of foster care providers. An analysis of current foster care services should be completed to determine if supply is meeting demand. Actions must then be taken to correct identified deficiencies. Currently, recruitment is an informal and sporadic process where people who a FRS believes could make good foster parents are asked to look into applying.

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Number of Foster Homes May Be Limited

Department personnel state there are too few foster homes to meet current demands and needs. In addition, personnel within the department's Juvenile Corrections Division indicate a shortage of foster homes. Although we heard comments about lack of foster homes for placements, we found no documentation to support these claims.

DFS staff also said children are placed into a home or facility because there is an opening, not because the placement offers services that meet the needs of the child. Foster care placements were not within the scope of this audit, so we did not verify this statement.

Department management has not established implementation of a process to address foster care needs as a high priority. The department's current management information system does not provide staff the ability to review the number of available slots in each foster care home or facility, services each provider offers, or ages of children providers will accept. In fact, the current management information system provides limited information for analyzing current foster care needs.

According to department policy, each local DFS office shall establish a continuous recruitment program sufficient to meet the needs of children and families in foster care. Recruitment is the responsibility of family resource specialists. All seven family resource specialists we interviewed stated they did not have the time or resources to recruit foster parents. One local DFS office is encouraging Juvenile Corrections Division staff to conduct their own recruiting and training of foster care providers. DFS was allocated \$50,000 for recruitment during the 1991 Legislative Session. However, DFS management had not expended this funding as of July 1993.

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Recommendation #1

We recommend the Department of Family Services:

- A. Develop and implement procedures to identify demands for and supply of foster care providers in Montana.
- B. Establish a recruitment program for foster care providers which meets current demands and the needs of children in Montana.

Rate Setting and Contracting

Family foster home rates are set by the legislature and are based on the age of the child in foster care. Facilities other than family foster homes are categorized by the department according to the levels of supervision and treatment provided. Once categorized, a matrix is used to determine pay rates. A contract is then finalized with each facility. We identified concerns with the current process used by the department. The following sections discuss these concerns.

Facility Profile

Each facility, other than family foster homes, completes a facility profile. The profile asks for descriptions of the facility's program. Profile information includes population that can be served, physical characteristics of the facility, characteristics of facility staff and other available resources, and program and service characteristics.

Payment Based on Rate Matrix

A staff member of the Program Management Division reviews completed profiles and classifies each facility based on profile information. Each facility's payment is based on a rate matrix developed by department personnel. The rate matrix has three levels of treatment and five levels of supervision. The department is currently revising the rate matrix to include a sixth level of supervision. These levels of supervision and treatment are defined in the Administrative Rules of Montana (ARM).

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Information Not Verified

Facility profiles are only examined by one division staff member. To date, no verification of profile information has been completed by department personnel. Information provided by each facility is assumed to be true and correct.

Without verifying profile information, the department may pay for services not provided by facilities. In addition, children may be improperly placed. As a result, a child's needs may not be met.

The department recently hired four new FTE (full-time equivalent) positions and plans to hire one additional FTE. These new staff members will be responsible for verifying profile information. We believe the department should continue with its current plans to verify facility profile information. This will help ensure accurate classification and proper payment. In addition, the department will have increased assurance that services indicated are actually provided.

Recommendation #2

We recommend the Department of Family Services establish procedures for verifying facility profile information.

Contracting

According to department personnel, every foster care facility except family foster homes and out-of-state residential treatment facilities is to have a contract with DFS. Section 11.7.311, ARM, states "Facilities in Montana must be licensed with the department (DFS) or responsible tribal authority, and must have a current contract with the department to be eligible for payments for foster care from the department."

Missing and Unsigned Contracts

We judgmentally selected and reviewed nine foster care facility contracts. We found eight out of nine contracts reviewed were signed more than 30 days past the effective starting date of the

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contract. A review completed by financial-compliance auditors from our office noted eight facilities which did not have current contracts. Several facilities did not have a contract for over six months while a few did not have a contract for a full fiscal year. Payments were made to these facilities even though contracts were not current.

Without a current contract for each facility, the department is not in compliance with administrative rules. We noted one case where an emergency shelter care facility was paid for a child's stay which lasted almost twice as long as DFS's policy of a maximum stay of 45 days. Thus, the department paid for services received in which a contract was not established. Department personnel state over-runs such as this are not uncommon. According to department rules, if a current contract is not signed, the facility is not eligible for foster care payments from the department. However, if facilities provide services to children such as those noted above, the department is responsible for paying the facility for the services.

Contract-Related Issues Not Defined

Required contents, monitoring procedures, supervisory reviews, and other contract related issues have not been defined for facility contracts. The department has one administrative officer to monitor over 400 contracts. Seventy contracts are for foster care facilities. Other contracts are for purchases and services such as Big Brothers and Sisters, Domestic Violence Services, and training.

The department needs to establish policies and procedures for foster care facility contracts. Each facility is required to have a contract with the department. DFS management must ensure contracts are current and information is valid. Current, valid contracts help protect the interests of the department and foster care facilities. The department agrees with our findings and is taking steps to address contract-related concerns. According to department officials, facility profiles are now attached to contracts and contract language indicates services will be provided in accordance with profile information.

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Recommendation #3

We recommend the Department of Family Services:

- A. Establish policies and procedures regarding contents of foster care facility contracts.**
- B. Maintain current foster care facility contracts.**

Communication with Foster Parents

During our audit, we obtained input from foster parents regarding communication with department personnel. The following section discusses the results of our discussions with foster parents.

Foster parents rely heavily on social workers to provide information about the foster children placed in their homes. Foster parents we talked with believe communication with department personnel could be improved. Social workers do not consistently provide all known information to foster parents, help obtain services, or use similar placement procedures. In addition, department personnel do not consistently inform foster parents of their rights as foster care providers.

Social Workers Must Maintain Frequent Contact

According to department policy, social workers must maintain frequent contact with foster families as agreed on by the social worker and supervisor. The foster parent agreement form states the social worker will visit the home a minimum of once a month after placement of a child. DFS policy also states foster parents must know the following about each child placed into their care:

- The general case plan.
- Treatment plans.
- Information about problems and behaviors.
- Reasons for placement.
- Life experiences.
- Medical information.

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-- Payment to be received.

Foster parents need to know what their rights are regarding foster care and what support/services are available. Having complete information about a foster child better enables foster parents to handle and help the child. In addition, pertinent information allows foster parents to meet the child's needs and help with reunification of the child and his/her family. According to foster parents, this type of information helps them do a better job of providing foster care.

Foster Parents May Become Overwhelmed

During the initial licensure, foster parents assess their ability to handle children with different needs. Foster parents, with help from family resource specialists, decide what types of foster care they will be able to provide. A license is then issued according to this decision.

Some foster parents indicated social workers sometimes pressure them into taking children who have needs they determined they could not handle. When social workers must place children into foster care, they first look to foster parents whose services have been used in the past. Social workers may then try to persuade the foster parents into taking the placement without considering all problems and behaviors of the child. Also, foster parents do not always receive complete information about children who are potential placements. As a result, foster parents said they become overwhelmed and/or frustrated with the foster care program and DFS. This may cause foster parents to quit the department's foster care program. If foster parents stop providing foster care, the FRS has the additional task of recruiting new foster parents.

We found differences in methods and amounts of communication with the foster parents we talked to during our audit. Some social workers appear "protective" of foster parents and have many contacts with parents. Other foster parents are not receiving similar treatment. These foster parents do not believe the department is working with them. In their opinions, DFS has done nothing to keep them within the foster care program.

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Foster Parents Should Be Informed About Respite

An example of a service available to foster parents is respite. This program pays someone to care for foster children to allow foster parents to "get away" or take a "break" from foster care. Respite is a service which can help prevent foster parents from becoming overwhelmed. While conducting interviews, we identified instances where some foster parents were never offered respite and/or did not know such a program existed. Other foster parents said social workers make it so difficult to request and receive respite, they do not use the program. Instead, they find their own sitters to provide care for their foster children. Interviews with department personnel indicate DFS is aware of these situations regarding respite.

It appears social workers either do not have time to do the paperwork for respite or believe their county is under strict budget limitations, so they do not offer respite to foster parents. However, the respite program is a state funded program, so social workers may be misinformed about respite funding.

Several Reasons for Lack of Communication

There are several reasons for lack of communication with foster parents. First, social workers indicate large caseloads create an atmosphere where they "put out one fire," then "move on to the next one." This makes communication a low priority. Once a foster home is identified, the child is placed and the social worker moves on to the next case. Foster parents sometimes perceive social workers as too busy to help them. Also, current department policy requires frequent contact with foster care placements, yet frequency is not defined.

Summary: Communication with Foster Parents

Communication between foster parents and DFS needs improvement. Foster parents are not properly informed of their rights because of limited information provided by DFS personnel. Improvements in communication between the department and foster parents will better prepare foster parents for placements. As a result, situations of foster parents becoming overwhelmed should diminish. Also, initial licensing caseloads and recruitment efforts may decrease.

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Department staff, in coordination with the Foster Parents Association, recently completed a foster parent handbook. The department is also evaluating current supervision of field staff and reviewing procedures regarding communication.

Recommendation #4

We recommend the Department of Family Services:

- A. Ensure foster parents are informed of their rights and the history of each child placed into their homes.**
- B. Clarify department requirements for social worker contacts with foster parents.**
- C. Emphasize the importance of information sharing with foster parents to department personnel.**

Training

During our audit, we reviewed the types and amounts of training received by family resource specialists and foster care providers. We identified concerns with training for both family resource specialists and family foster parents. The following sections discuss limited family foster parent training, lack of an FRS training program, and recommendations for improvement.

Foster Parent Training

According to department policy, all foster parents need to receive training. The purpose of training, as stated in department policy, is to assist with the problems of children in foster care. Section 11.12.614, ARM, requires foster parents to attend an orientation session prior to licensure. In addition, this section of the administrative rules requires at least 15 hours of training annually, approved by the department, for re-licensure.

Inconsistencies in Requirements

We found inconsistencies in requirements for the amount of training foster parents must receive before being licensed. Four of the six offices we visited either withhold a license or

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provisionally license foster parents until completion of MAPP training. Two offices either do not believe they have authority to require MAPP training or are in a rural area and it is difficult to get enough people to conduct a MAPP training session. In addition, foster parents do not consistently receive an additional 15 hours of training each subsequent year.

All seven family resource specialists we interviewed indicated a concern with foster parent burn-out. The needs of foster children can be very demanding. Situations can become difficult, and without proper training and support, foster parents may decide to stop providing foster care. Training will provide foster parents with techniques to handle problems and behaviors of children in their care. These techniques will provide foster parents with additional ways to deal with difficult situations. This should help decrease foster parent burn-out.

The department expects foster parents to provide more than basic care. In addition, foster parents must have additional skills to meet the special needs of foster children. Without training, foster parents may not develop skills for providing proper foster care. As a result, children's needs may not be met and their safety could be compromised. This could create problems for children in foster care. Children may spend unnecessary time in foster care which nullifies the department's philosophy of permanency planning and wastes resources.

Limited Amount of Training Provided

During our review, foster parents expressed concern with the amount of training available to foster care providers. In some rural areas, MAPP training is limited because a large group of people is necessary to conduct effective training. Other types of training are available through various groups and organizations, but the amount and frequency varies.

Many foster parents we talked with are involved with foster parent support groups, if the city/town has an active support group. Foster parents believe these groups and training received during these meetings gives them better skills and abilities to provide care for foster children. In addition, everyone we talked to who had received MAPP training said the training was

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valuable and would be beneficial for providing foster care. In all three regions we visited, foster parents believe training prevents burn-out by better preparing parents for what to expect from foster children.

There are several reasons for lack of foster parent training. First, family resource specialists in rural areas have limited access to training opportunities. DFS does not provide videos, books, and other training material to family resource specialists for distribution to foster parents. Most of the foster parents we talked with expressed an interest in video training. Foster parents indicated video training would enable them to receive training while allowing them to stay at home.

Next, with current FRS workloads, foster parent training has received a low priority. Family resource specialists say they do not have time to track and provide as much training as they would like. As mentioned previously, MAPP training is not effective without a large group.

Training Requirements Not Enforced

Finally, family resource specialists believe there is a shortage of family foster homes. Family resources specialists appeared reluctant to deny a license for foster care based on foster parents not receiving 15 hours of training during a year. They do not want to lose foster parents by enforcing the department's ongoing training requirements. Thus, foster parents are given lee-way regarding training requirements. In most cases, any type of material is approved as acceptable training, including network television programs. In addition, foster parents cannot always attend training because of work and/or care for their children and foster children. Training is limited, so there are not many choices. We did note the Helena FRS provides respite care for foster parents to allow them to attend MAPP training. This may be an area the department should consider as an acceptable use for respite care funds.

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Conclusion: Foster Parent Training

We believe the department should enhance its current policy regarding foster parent training. First, the department should make MAPP training a requirement for foster care providers. This will better prepare foster parents which should increase their ability to provide proper care. Second, DFS should develop an alternative form of initial training, similar to MAPP training, for the rural areas of the state. The Child Welfare Institute has a MAPP program designed for smaller, rural areas which could be useful in these locations. Next, the department should obtain training materials such as videos and books and provide these materials to family resource specialists for distribution to foster parents. Finally, the department should enforce its current 15-hour ongoing training policy. This will help foster parents provide proper foster care.

The department agrees with our findings regarding foster parent training. Department staff are developing video training materials to enhance DFS's training program. The department may also consider implementing telecommunication conferences and training as part of its future training program.

Recommendation #5

We recommend the Department of Family Services:

- A. Require MAPP training, or an alternative form of initial training, prior to issuing a license to foster care providers.**
- B. Obtain and distribute training materials to family resource specialists for use by foster parents.**
- C. Enforce the annual 15-hour ongoing training requirement for foster parents.**

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Family Resource Specialist Training

Family resource specialists are responsible for licensing numerous types of foster care facilities. Family resource specialists also oversee adoptions, provide post-adoptive placement services, provide and/or coordinate foster and adoptive parent training, investigate allegations of abuse/neglect in foster care facilities, organize foster parent and adoptive parent associations, serve and represent DFS on local community boards, committees, and task forces, and answer questions and inquiries regarding foster care. Although family resource specialists are required to make determinations of the ability of applicants to be foster care providers and the ability of facilities to ensure a child's safety, they are not trained on proper techniques to accomplish this.

Limited Training Received

We found training received by family resource specialists is minimal and is not specific to licensing foster care facilities. Family resource specialists receive policy training once per year. Recent policy training focused mostly on day care. Foster care facility licensing appears to have been overlooked. Most family resource specialists have received Child Abuse and Neglect (CA/N) and MAPP training. However, some family resource specialists have not received MAPP training or certification, yet are still responsible for providing MAPP training.

A key component of personnel management is the provision of training. Training is provided to improve or enhance an employees' ability to perform his/her job duties.

Different licensing standards exist for each type of foster care facility. Family resource specialists need training to ensure consistency in applying licensing standards. For example, section 11.12.405, ARM, adopts Department of Health and Environmental Sciences' circular numbers 11, 12, and 17 concerning water quality standards. The family resource specialists we interviewed do not have these circulars and are not aware of circular contents. In addition, health, building, fire, and safety requirements are technical, yet family resource specialists are required to enforce these standards to ensure the

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Different Licensing Procedures Followed

safety of children without having any training on how to accomplish this.

Lack of training contributes to family resource specialists following different licensing procedures. For example, we noted differences in use and completion of criminal background checks on prospective foster parents/staff. Some offices use local law enforcement agencies, some offices use the Department of Justice, while other offices use one or the other or both.

Water quality checks are another example of differences. Some family resource specialists require well-water checks by the local health department while others assume water is okay if current household members are drinking the water and are healthy.

Proper training helps ensure foster care facilities meet similar standards throughout the state. Family resource specialists may only license one foster care provider for certain types of facilities, such as a group home or child care agency. As a result, family resource specialists do not have other group homes or child care agencies to use for comparison. Group home directors and the Montana Association of Homes and Services for Children expressed concerns with the lack of consistency found in licensing throughout the state.

Department management has placed limited emphasis on development and implementation of a training plan for family resource specialists. According to DFS personnel, since there are only two to three family resource specialists hired each year, a formal training program has not been established. FRS supervisors are responsible for providing training to their licensing staff. However, FRS supervisors also have limited training regarding licensing. Family resource specialists used to meet once a year to discuss licensing and other job duties, but these meetings have not occurred in over two years.

Several family resource specialists said certain situations make it difficult to attend training. Part-time family resource specialists said they have difficulty attending training and completing licensing duties at the same time. Locations where training is

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conducted also prevent some family resource specialists from attending training. We realize providing training to part-time personnel may be more difficult. However, all family resource specialists, both full-time and part-time, have the same job responsibilities. Thus, all family resource specialists should receive similar training.

Family resource specialists need training on proper licensing procedures to ensure the safety of children in foster care. Training will help clarify department policy and ensure consistency in licensing. We believe all family resource specialists should, at a minimum, attend MAPP training. The department should consider expanding training sessions to include more rural areas. In addition, the department could establish policy for annual meetings to help disseminate information regarding licensing policies and techniques.

DFS plans to develop a more formal training program for the department, in conjunction with its recent reorganization. The department is developing a plan to identify training resources, then will develop a training plan with input from field staff. According to department officials, the next training session will concentrate on new licensing requirements and basic licensing policies.

Recommendation #6

We recommend the Department of Family Services develop a formal training program for family resource specialists.

Licensing Standards - Policies and Procedures

Family resource specialists are governed by statutes, administrative rules, and department policy when licensing foster care facilities. Statutes provide overall direction while administrative rules give more detailed direction. Department policy provides specific standards for family resource specialists to use during

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the licensing process. During our review, we noted differences in licensing standards which address similar situations. We identified a concern with the ability of family resource specialists to make decisions based on general standards. We found department policy is not kept up-to-date. In addition, there are no DFS standards for some types of foster care facilities.

Policies and procedures guide personnel in performing duties in a consistent and accurate manner. In addition, policies and procedures strengthen management's control over operations and help assure continuity of services as staffing changes occur. In order to achieve these results, policies and procedures must be clear, concise, and kept up-to-date.

Once established, standards and policies and procedures must be communicated to licensing personnel. Communicating department standards and policies and procedures will help clarify the licensing process. Updates to standards and policies and procedures must also be communicated to field personnel. This will help ensure consistency in achieving the department's purpose and intent for licensing foster care facilities.

Policies tell staff what has to be done while procedures tell staff how to accomplish policy. Out-of-date procedures can create misunderstanding of department intent and cause variation between what is supposed to take place and actual operations. Most family resource specialists we talked with said they rarely use department policies and procedures because they are outdated. In addition, family resource specialists said they are not sure whether policies and procedures they have are the most current policies and procedures.

Differences in Licensing Standards

Each of the ten types of facilities licensed by the department has a separate licensing standards manual. These manuals have differences between standards for similar circumstances. For example, youth group homes and child care agencies must have 50 square feet per person in each sleeping room with multiple occupancy. In addition, a single occupancy bedroom must have

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Management of Foster Care Providers

80 square feet. In contrast, a family foster home does not have any bedroom space requirements. As another example, family day care homes must let children nap only in rooms with windows (for rescue and ventilation) whereas having children sleep and nap in rooms with windows is not a requirement for family foster homes. In summary, there is no consistency or logic among licensing standards for foster care facilities.

Family Resource Specialist Decision-Making Ability

Family resource specialists must make a decision whether or not to license an applicant. In order for family resource specialists to deny an application for licensure, they must provide written notice to the licensee stating the reasons for the negative licensing action. Several of the family resource specialists we talked with indicated weaknesses in their ability to deny an applicant a license due to the generality of licensing standards. For example, the department requires a foster home to provide an adequate and safe sewage system and water supply. However, policy does not define what adequate is or how family resource specialists are to determine adequacy.

DFS Policy Not Up-to- Date

DFS has not updated family foster home licensing policies and procedures since the duties were transferred from Department of Social and Rehabilitation Services (SRS) in 1987. Licensing policies and procedures are found in the 800 section of the DFS Policy Manual. All but one of these policies and procedures still refer to the old SRS organization. Policies and procedures refer to defunct positions, divisions, and forms used when DFS was part of SRS. For example, Section 802-6, Licensing Procedure, refers to the social worker as the position responsible for licensing foster care facilities. As a result, DFS's current policies and procedures are not valid.

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Management of Foster Care Providers

No Standards for Some Facilities

We noted several types of facilities which family resource specialists are required to license but have no specific guidelines to follow. These facilities include:

- Shelter care facilities.
- Attention homes.
- Therapeutic family foster and youth group homes.
- Specialized family foster homes.

There are no department policies, administrative rules, or statutes specifying licensing guidelines for these facilities. As a result, family resource specialists use standards for other types of foster care providers when licensing these facilities.

According to department policy, licensing has two purposes:

1) to prevent the mistreatment or neglect of dependent, aged, or handicapped persons, and 2) to mandate a level of care which meets those persons' needs. Although each facility serves a different function, there are similarities. We believe there should be basic standards established for children served in these facilities. For example, specific fire, safety, building, and health standards should be met by all facilities providing foster care. Specific licensing standards enable the licensing workers to better assess a child's safety in foster care facilities. In addition, specific standards increase the ability of family resource specialists to deny applicants which may not be suitable for providing foster care.

Inconsistencies in Licensing Procedures Used

It becomes very difficult for a FRS to know every standard, especially with many small distinctions. We found inconsistencies in licensing procedures used within the regions we visited. In addition to differences mentioned previously, we noted differences in licensing requirements used by family resource specialists including what and how forms are used, the number of personal references requested, and how contacts with foster care providers are documented.

Some Foster Homes Do Not Appear as Safe as Other Foster Homes

As part of our review, we visited 18 family foster homes to observe facilities and obtain input. We found some homes do not appear as safe as others. Two of the licensed foster homes we

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visited appeared to have health, fire, and safety concerns which could create unsafe situations for children. One foster home has a bedroom with a doorway but no door, creating an unsafe environment if a fire occurred in the home. The other foster home has clutter throughout the house which could cause safety and/or health problems for children in the home. Although the FRS is aware of these situations, no action can be taken because current department standards do not specifically address these types of situations.

Conclusion: Licensing Standards

DFS management needs to provide more emphasis on updating standards, policies, and procedures. Two department staff were given responsibility for revising licensing standards. However, other duties for these positions have been given higher priority. Thus, revision of standards, policies, and procedures is not complete. Family resource specialists are still required to license and relicense foster care facilities. Without up-to-date policies and procedures, inconsistency in operations and lack of assurance for children's safety may continue. Many of the inconsistencies noted during our review could be addressed by standardizing and updating licensing standards, policies, and procedures.

The department agrees with our conclusion and is addressing the situation by hiring a new FTE position. This new FTE will evaluate current licensing standards and policies to determine if consolidation is needed and to design the framework for any proposed consolidation. In addition, the next training session will clarify the importance of licensing to the department's child care program.

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Management of Foster Care Providers

Recommendation #7

We recommend the Department of Family Services:

- A. Clarify and restructure foster care licensing standards to ensure consistent application.**
- B. Update policies and procedures regarding licensing.**
- C. Communicate the purpose and intent of licensing standards and policies and procedures to department personnel.**

File Documentation

During our review, we noted differences in the type of documentation maintained in FRS files. We found variations in forms used by family resource specialists to document the licensing process. We also found differences in what documents are maintained in files. For example, some family resource specialists obtain four personal references, while others only obtain two or three. In addition, some family resource specialists have developed their own forms to use during the licensing process.

Department policy identifies various procedures and forms to be used by family resource specialists during the licensing process. The purpose of these forms is to provide documentation to support department decisions. We believe file information should contain documentation of all licensing activity conducted by family resource specialists. New family resource specialists and supervisors should be able to review file contents and obtain an accurate history of licensing activity.

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Files Missing Documentation

We reviewed a total of 30 active family foster home files maintained by family resource specialists in three regions. The following gives examples of missing forms and differences in use of forms noted during our review:

- 11 of 30 files had no documentation of investigations for previous Child Protective Services involvement.
- 20 of 30 files had no documentation of criminal background investigations.
- 24 instances noted where an application form was not obtained for relicensing.
- 15 of 30 files had no documentation of approval from foster parents for release of information.
- 11 of 30 files had less than the required 4 personal references for the initial licensing period.
- 5 of 30 files did not contain personal health statements for every member of the household/facility.

Due to lack of documentation and inconsistencies in types of documentation kept, we could not determine whether foster care applicants and providers were given equal and objective consideration during licensing and relicensing. In addition, some files did not contain information to support decisions made by department staff. This limits assurance that the level of service provided by facilities will meet the needs of children placed into foster care.

New personnel hired by the department may have difficulty determining the history of foster care providers without proper documentation. As a result, a facility may be licensed or relicensed without complete information. In addition, time spent obtaining documentation of information gathered previously is a duplication of effort which unnecessarily consumes department resources.

FRS supervisors do not consistently review FRS files for compliance with department policy. The FRS supervisors have final

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approval authority for licensing foster care facilities, yet most supervisors rely heavily on the judgement of family resource specialists when making a decision.

DFS has performed several internal reviews in the past. During these program reviews, the department found missing file documentation similar to what we noted during our performance audit. However, DFS is not completing quality assurance reviews of foster care. Without quality assurance reviews, the department has no guarantee that a group home in the western region met the same requirements as a group home in the south-central region. In addition, the department does not know if department licensing standards are properly interpreted and/or followed by the licensing workers.

Management should implement a file review process to ensure file documentation meets department standards and supports department decisions. The department could expand the current duties of quality assurance staff to include FRS file reviews.

Recommendation #8

We recommend the Department of Family Services implement a review process to ensure complete documentation exists for foster care licensing files.

Chapter IV

Foster Care Program Administration

Introduction

This chapter discusses concerns related to administration of the foster care program by the Department of Family Services (DFS). Each section summarizes our findings, including recommendations for improvement.

Staffing Patterns

We interviewed central office personnel regarding staff levels and distribution of family resource specialists. DFS management does not analyze staffing patterns to determine if current family resource specialist (FRS) staff levels and distribution are adequate to perform necessary duties. Staff analysis is the responsibility of each regional administrator.

Family Resource Specialist Workload/Caseload

During our review, we attempted to obtain FRS workload/caseload information. The department's current computer system, developed in 1984 to handle payments, provides only limited management information. As a result, we were unable to obtain complete FRS workload/caseload information from the department.

Definitions

DFS officials define caseload as the number of facilities family resource specialists license and relicense along with investigation of complaints about facilities. Workload incorporates all FRS duties, including caseload. FRS workload responsibilities include adoptive studies and support services, MAPP (Model Approach to Partnerships in Parenting) training, community education, administrative reviews, inquiries, and travel. Table 5 presents caseload information obtained during our review. We were unable to verify data obtained from family resource specialists due to time limitations.

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Foster Care Program Administration

Table 5

FRS Caseload Information
(snapshot - June 1993)

Region - Position(s)	# FTE	# of Co. Served	Total Population	Type of Facility and Number Licensed								Other Caseload			TOTAL ¹
				FFH	GH	CCA	DC	AFH	DDGH	CPA	DENT	AD	ICPC	MAPP	
Western - A	2.00	2	83,840	96	5	2	317	8	12	2	0	6	0	0	448
Western - B	0.50	1	26,220	28	1	0	49	10	2	0	0	15	0	2	105
Western - C	2.20	3	86,945	85	6	0	229	10	8	1	2	54	4	3	399
Western - D	0.50	1	21,695	30	2	0	32	1	3	0	0	3	6	1	77
Southcentral - A	2.60	3	131,105	129	8	3	521	30	16	3	1	27	1	3	739
Southcentral - B	0.50	5	18,395	28	0	0	16	2	1	0	0	0	0	1	47
Southcentral - C	0.50	3	17,855	25	0	0	88	4	5	0	0	0	0	0	122
Southwestern - A	1.00	3	59,715	63	5	1	230	11	14	1	0	6	0	2	331
Southwestern - B	1.00	6	68,000	63	1	0	155	0	12	0	0	0	0	3	231
Southwestern - C	1.25	3	68,045	95	3	0	197	0	6	0	1	2	0	2	304
Northcentral - A ¹	3.00	4	96,385	125	2	0	280	2	14	0	1	131	0	4	559
Northcentral - B	1.00	3	19,250	75	0	0	43	0	3	0	1	0	0	0	122
Northcentral - C	1.00	2	24,460	87	2	0	85	3	8	0	0	30	8	0	223
Eastern - A	1.00	8	32,190	30	0	1	115	8	5	0	0	33	1	2	193
Eastern - B	1.00	3	24,190	21	2	0	116	1	2	0	0	17	0	2	159
Eastern - C	1.00	6	30,165	30	2	0	56	0	5	1	0	6	0	0	100
TOTALS	20.05	56	808,455	1,010	43	7	2,529	90	116	8	6	330	20	25	4,159

¹ Caseload numbers not complete - supervisor could not verify

² Estimated from DFS management information system data

³ Does not include MAPP

FFH	Family Foster Homes
GH	Group Homes (includes regular, therapeutic, shelter care, and attention centers)
CCA	Child Care Agencies
DC	Day Care Facilities
AFH	Adult Foster Homes
DDGH	Developmentally Disabled Group Homes
CPA	Child Placing Agencies
DENT	Detention Centers
AD	Adoptions (includes DFS, adoption agency, private, and relative)
ICPC	Interstate Compact on Placement of Children
MAPP	Number of MAPP Sessions Given Per Year

Source: Compiled by the Office of the Legislative Auditor.

Day care responsibilities include a high percentage of paperwork along with visits to 20 percent of the facilities and investigations of complaints. Some offices have support staff complete day care paperwork while family resource specialists review completed files, complete facility visits, and conduct investigations. This separation of duties allows family resource specialists to focus more on other licensing duties. As shown in Table 5, some regions/offices finalize more adoptions than others. These offices have family resource specialists who focus only on

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Foster Care Program Administration

adoptions. Some family resource specialists are responsible for licensing all foster care facilities for a large area. These family resource specialists indicate they do not have time to recruit or train foster parents. Family resource specialists who oversee several counties may spend up to 30 hours a month traveling to complete duties.

No Workload Analysis Conducted

From our observations, it appears family resource specialists have heavy workloads which limits the amount of time they can spend on each specific duty. As noted in the paragraph above, there are staffing differences between offices/regions. During our audit, we received numerous comments from department personnel and foster care providers about family resource specialists having too many responsibilities to adequately complete job duties. However, there is no documentation or information to support this claim.

We used computer statistical software to analyze current FRS workloads. We entered data from Table 5 into the computer and the software analyzed the data to determine if any relationships existed. Our preliminary analysis of workload information indicates a correlation between staffing levels and caseload responsibilities. It appears the number of family foster homes, day care facilities, and adoptions are dependent upon the number of family resource specialists within each region. If the number of family resource specialists in a region increases, corresponding caseloads will increase. As shown in Table 5, family foster homes, day care facilities, and adoptions have the highest percentages with regard to caseload. However, there are significant variations in caseloads between offices and regions.

Management has not given staffing analysis a high priority. Current staff levels and distribution are the same as they were when DFS was established in 1987. The department must ensure the safety of children in foster care and that children's needs are met. To help accomplish this, management should analyze FRS workloads to determine whether family resource specialists have enough time to properly license/relicense foster care facilities. Geographic location, population, FTE, and other data should be

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considered when completing a workload analysis. DFS management should collect workload data and analyze current staffing patterns. This will enable management to identify and adjust staff levels and distribution as necessary.

According to department officials, the new management information system currently under development will maintain workload/caseload data. Also, the department identified funding for five additional FTE. The new FTE will be responsible for day care which should help reduce the workload of several family resource specialists.

Recommendation #9

We recommend the Department of Family Services:

- A. Establish procedures for obtaining FRS workload/caseload data.**
- B. Develop and implement procedures for analyzing FRS staffing patterns, including analysis of workload/caseload information.**
- C. Analyze current FRS staff levels and distribution and, if necessary, adjust accordingly.**

Management Information

DFS currently uses a mainframe computer system to collect limited information on child protective services referrals. The system is also used to generate foster care payments and track expenditures. The system operates within the Department of Social and Rehabilitation Services (SRS). The current system is outdated and cannot be easily modified. In addition, this system does not provide the department with program information necessary for effective management of operations.

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Developing New System

The department is currently working on development of a new management information system. The official name of the system is CAPS (Child & Adult Protective Services). Department personnel, with assistance from other state agencies and private organizations, recently completed a system requirements analysis. The department intends to contract with the private sector for system development and maintenance. An RFP (request for proposal) was released by the department in July 1993. A system development contractor is expected to be selected by the fall of 1993.

Using Donor System

The department plans to develop CAPS by transferring and modifying an existing system. The department reviewed several child protective systems and approved five different systems as acceptable donor systems.

CAPS is intended to be an on-line database management system. According to project managers, the system will significantly reduce the manual processes and paperwork required by the department's current system. The system will be organized into eight major functional components. One of the major components is Case Work. Within the Case Work component, available resources will be matched to a client's characteristics to aid in placement determination. In addition, the component will include a case audit function which will identify requirement deficiencies for specific types of cases.

Another component within the system is Licensing/Contracts. This component will allow for licensing of foster care providers, day care providers, and adoption agencies. Licensing information will be stored within the system. The system will automatically notify the responsible licensing worker of complaints regarding licensed facilities. CAPS will also record contracts for services and monitor contract compliance, status, and payment information.

There are other components within CAPS which provide various capabilities and information. The system will provide the ability for workers to generate case file documentation. In addition,

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CAPS will generate several reports on operations and foster care information.

In our Child Protective Services Program Performance Audit Report, 89P-29, June 1990, we made a recommendation to the department to develop and implement a management information system. We still believe it is important for the department to maintain adequate program and management information. We agree with the steps taken by the department to date, and believe the department should continue with its plans to develop and implement CAPS.

Evaluation of Foster Care Programs

A current goal of DFS is attempting to control foster care costs with front-end and community-based services. The purpose of front-end services is to deter families from entering the foster care system. If a child needs services, DFS plans to emphasize use of community-based services to serve these needs in the home or community rather than placing children into more expensive treatment programs outside the child's/family's community.

An example of front-end services is family-based services (FBS). FBS are intense, short-term, in-home services provided by trained therapists to strengthen the family. Currently, there are 11 family-based services operating in Montana with a total budget of \$655,000. The department estimates 200 families will be served by the FBS program annually. Families who will be serviced are those who are at imminent risk of having children removed from their home by DFS or youth probation.

New Programs

Community-based services include therapeutic foster homes and group homes. Therapeutic foster homes provide specialized therapeutic treatment in a family home environment. These foster parents are trained to handle children with special needs who still benefit from a family-home atmosphere. These homes are licensed by DFS and are typically part of a child placing agency program which trains parents, places children, and monitors placements. Currently, the department has not

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developed licensing standards for licensing therapeutic foster homes.

Therapeutic group homes are similar to group homes with the exception of increased and higher-intensity treatment levels. The children served in these homes have special problems or needs requiring therapy. The department has also not developed licensing standards for therapeutic group homes. In fact, these homes have been issued provisional licenses until standards are developed and family resource specialists receive training.

Instead of sending youths to facilities that offer a program that a youth is expected to "fit," DFS also plans to use wrap-around services. Wrap-around services denote services of several agencies wrapped around a youth and family according to a multi-agency individualized treatment plan. These services involve a considerable amount of interagency planning since one case may involve several agencies such as school, family, foster care, and several service providers.

DFS is also refinancing many foster care services by matching federal funds with state general funds. These federal funds include Medicaid, Title IV-A Emergency Assistance, and Title IV-E Foster Care funds.

No System to Evaluate Success

We identified two concerns related to new programs. First, DFS lacks a system for evaluating the success of new or established foster care programs. Interviews with DFS officials indicate no plans for developing a system to evaluate program success. Second, licensing workers have not received training on licensing the new therapeutic foster and group homes. Lack of training is addressed in Chapter III of this report.

No Assurance Programs Serve Their Purpose

If management does not evaluate success, there is no assurance the department's programs serve their purpose. The department is responsible for protecting children under its care and providing a level of care to meet the needs of each child. Without some form of program evaluation, the department's ability to identify and correct deficiencies is limited. Evaluating program success

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helps identify areas needing improvement or change. This type of analysis increases management's assurance of the effective and efficient use of funds.

Currently, decreases in funding, changes in laws and rules, federal requirements, and other changes within the department take priority over program evaluation. As a result, the department has not established procedures for evaluating its foster care programs to determine if changes are needed or if a program should be discontinued.

We believe the department needs to evaluate foster care programs, both new and old, to determine if programs are serving their purpose. This will enable management, when necessary, to modify procedures in order to accomplish program intent in an effective manner.

Recommendation #10

We recommend the Department of Family Services periodically evaluate the effectiveness of foster care programs.

Chapter V

Summary

Introduction

This performance audit was conducted as part of the National State Auditors Association multi-state project on foster care. The audit focused on foster care issues within the Department of Family Services (DFS). Specifically, we reviewed licensing, contracting, and management of foster care providers.

DFS social workers are responsible for placing children into foster care. In addition, social workers are responsible for determining the needs of children placed into foster care. These areas were outside the scope of our audit, so were not included as part of our review.

Family resource specialists are responsible for licensing and relicensing foster care providers. We interviewed family resource specialists and supervisors, observed licensing/relicensing activity, and reviewed foster care facility files in three of the five DFS regions in Montana.

Comparable Methods Used

Overall, we found family resource specialists use comparable methods to license foster care facilities. Family resource specialists obtain application information, interview applicants, visit facilities, summarize findings, and make recommendations to supervisors for licensure. Similar methods are followed for relicensing, but the extent of the review is usually less than the initial licensing review.

Improvement Needed

Although family resource specialists use comparable methods when licensing and relicensing, we found inconsistencies in specific procedures used within the regions we visited. Areas which could be improved include:

- Addressing foster care needs in Montana.
- Rate setting and contracting.
- Communication with foster parents.
- Training for family resource specialists and foster parents.
- Licensing standards, policies, and procedures.
- File documentation.

Chapter V

Summary

As a result of inconsistencies noted above, foster care providers are not given equal treatment throughout the state. Our observations indicate differences in the provision for safety and quality of foster care facilities.

We also identified two concerns related to administration of the foster care program. These include:

- Analysis of staffing levels.
- Evaluation of foster care programs.

DFS management should gather information and evaluate staffing levels to determine if current levels and distributions are appropriate. In addition, the department should periodically evaluate foster care programs to determine effectiveness.

Summary

Children placed in foster care need proper care and protection. DFS is responsible for licensing and regulating foster care providers. Thus, the department is responsible for protecting the rights and needs of children in foster care. We believe improvements in the areas addressed in this report will increase the department's assurance that needs are met and children in foster care are safe.

Foster care providers will also benefit from improvements through increased training and communication. These individuals provide an important service to the department. DFS should support the efforts of foster care providers by maximizing its services.

Agency Response

DEPARTMENT OF FAMILY SERVICES



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STATE OF MONTANA

HANK HUDSON, DIRECTOR

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October 22, 1993

Mr. Kent Rice, Performance Audit Senior
Office of the Legislative Auditor
State of Montana, State Capitol
Helena, Montana 59620

Dear Mr. Rice:

Enclosed is the Department of Family Services' reply to the Office Of Legislative Auditor's October 7, 1993 Performance Audit Report, Foster Care Facility Licensing and Other Related Issues.

The format of our reply follows that suggested in your October 7 letter: For each recommendation, we state the DFS position and our contemplated plan for action on the recommendation.

As you will note, DFS concurs with all of the recommendations except for recommendation 5A, and we have presented our reason for not agreeing with this recommendation. For all of the instances where we concur, we have provided a timetable for implementation of the recommendation.

Sincerely yours,

A handwritten signature in cursive script that reads "Hank Hudson".

Hank Hudson
Director
Department of Family Services

c: Shirley Brown, Jack Ellery, Al Davis, Ann Gilkey, Frank Kromkowski, Charlie McCarthy, Richard Kerstein, Regional Administrators

DFS RESPONSE
TO
THE OFFICE OF THE LEGISLATIVE AUDITOR
OCTOBER 1993 PERFORMANCE AUDIT REPORT
ON
FOSTER CARE FACILITY LICENSING AND OTHER RELATED ISSUES

October 22, 1993
Department of Family Services

RECOMMENDATION 1

THE OLA RECOMMENDS THAT THE DEPARTMENT OF FAMILY SERVICES:

- A. DEVELOP AND IMPLEMENT PROCEDURES TO IDENTIFY DEMANDS FOR AND SUPPLY OF FOSTER CARE PROVIDERS IN MONTANA**
- B. ESTABLISH A RECRUITMENT PROGRAM FOR FOSTER CARE PROVIDERS WHICH MEETS CURRENT DEMANDS AND THE NEEDS OF CHILDREN IN MONTANA.**

The Department concurs with the recommendations.

Each regional DFS office will develop and implement a foster care provider recruitment and retention plan with procedures for identifying demands for and supply of foster care providers in the region.

Creation of these plans, however, is dependent upon implementation of the new DFS CAPS (Child and Adult Protective Services System) case management data system. DFS' current foster care payment and information system ("Client DataBase") cannot provide the needed information.

The tentative timeline for CAPS development is pilot implementation by 12/94 and full implementation by 7/95. Therefore, the anticipated timeline for completion of actions needed to comply with recommendation 1 is 12/1/95.

Upon full implementation of CAPS, DFS regional staff (family resource specialists and community social work supervisors, with assistance from DFS Central Office staff from the Program Management Division and the Management Support Services Division) will use CAPS data to create regional foster care provider recruitment and retention plans. To assure that the new CAPS system will capture and provide data necessary and useful to foster care recruitment and retention, each region will provide input to the development of the CAPS system via the CAPS permanent users' advisory group in the 11/93 - 12/94 period.

The plans will be based on CAPS data concerning (a) trends in foster care placements and child abuse/neglect caseloads, (b) the needs of children currently or soon to be in need of DFS foster care, and (c) trends in foster care licensing. Using this data, each region will project the region's need for foster care providers.

The plans will address both (a) foster parent recruitment and (b) the methods used for retention of currently-licensed foster parents.

Each plan will be coordinated with the regional plans for the prevention of child abuse and neglect and with the regional plans for the prevention of out-of-home placements.

The plans will also address the unmet needs for out-of-home care and placement-prevention services of youth who (a) would, without such services, have been sent to Pine Hills or Mountain View schools or (b) need foster care upon leaving Mountain View or Pine Hills.

RECOMMENDATION 2

THE OLA RECOMMENDS THAT THE DEPARTMENT OF FAMILY SERVICES ESTABLISH PROCEDURES FOR VERIFYING FACILITY PROFILE INFORMATION.

The Department concurs with the recommendation.

The Department will establish procedures for verifying information provided in foster care facility profiles submitted to the Department.

The anticipated timeline for completion of actions needed to comply with recommendation 2 is 3/1/94.

To ensure statewide consistency in operational procedures concerning this verification, regional staff will assist the Treatment Services Unit of the DFS Central Office's Protection, Intervention and Treatment Bureau in the development of procedures for verifying facility profile information.

The DFS management team and the Director's office identified a need to hire a program officer in each region with the responsibility for program development and contract monitoring, among other duties. If the Department is able to utilize current FTEs in this manner, as regional program officers, they will be assigned the responsibility for verifying the foster care facility profile information supplied by providers.

RECOMMENDATION 3

THE OLA RECOMMENDS THAT THE DEPARTMENT OF FAMILY SERVICES:

- A. ESTABLISH POLICIES AND PROCEDURES REGARDING CONTENTS OF FOSTER CARE FACILITY CONTRACTS.**
- B. MAINTAIN CURRENT FOSTER CARE FACILITY CONTRACTS.**

The Department concurs with the recommendations.

The Department will develop policies and procedures for foster care facility contracting (regarding both content and monitoring) and will maintain current foster care facility contracts.

The anticipated timeline for completion of actions needed to comply with recommendation 3 is 3/1/94.

Policies and procedures governing the content and monitoring of foster care facility contracts will be developed via collaboration between the DFS Program Management Division, the Management Support Division, the Legal Unit and the regional administrators, each of which has important perspectives regarding the content and monitoring of DFS contracts. The policies and procedures will be presented for review and adoption by the DFS management team.

In the development of the policies and procedures, it will be determined if each DFS regional office will assume responsibility for the monitoring of its foster care facility contracts or whether other options need to be considered.

The DFS Management Support Services Division has already implemented changes in practice to avoid payments being made prior to contracting. The practice of making payments prior to contracting has contributed to delays in contracts being signed.

RECOMMENDATION 4

THE OLA RECOMMENDS THAT THE DEPARTMENT OF FAMILY SERVICES:

- A. ENSURE FOSTER PARENTS ARE INFORMED OF THEIR RIGHTS AND THE HISTORY OF EACH CHILD PLACED IN THEIR HOMES.**
- B. CLARIFY DEPARTMENT REQUIREMENTS FOR SOCIAL WORKER CONTACT WITH FOSTER PARENTS.**
- C. EMPHASIZE THE IMPORTANCE OF INFORMATION SHARING WITH FOSTER PARENTS TO DEPARTMENT PERSONNEL.**

The Department concurs with the recommendations.

The anticipated timeline for the completion of actions needed to comply with recommendation 4 is 2/1/94.

DFS already has policies on the topics referenced in A, B and C; thus the Department's efforts will be directed at assuring compliance with policies. Through both DFS policy and administrative rules, social workers know they can and should share with foster parents all relevant information about the child(ren) placed in their home.

The Department will reinforce the rules, policy, and practice of sharing information with foster parents through training for workers, supervisors and foster parents on this issue. Training on this issue will be part of the training that DFS will provide concerning the newly-revised edition of the DFS Children's Services Manual.

In September of 1993, the Department printed a new foster parent handbook, Montana Child Care Partnership Handbook. The Handbook informs foster parents of their rights. It was distributed to those foster parents, social workers and family resource specialists that

attended the Montana State Foster and Adoptive Parent Association's annual conference and soon will be mailed to all licensed foster parents and other DFS staff involved in foster care placements.

DFS social work supervisors will be encouraged to address the issue of the need to share all relevant information about the child(ren) placed in foster homes with the foster parents through performance appraisals with those workers who fail to share vital information with the foster parents.

Under current DFS policy, the frequency of visits to foster parents by the social worker should be addressed in the case plan. Failure to do so is a supervisory issue and will be addressed with the social worker by his or her supervisor.

RECOMMENDATION 5

THE OLA RECOMMENDS THAT THE DEPARTMENT OF FAMILY SERVICES:

- A. REQUIRE MAPP TRAINING, OR AN ALTERNATIVE FORM OF INITIAL TRAINING, PRIOR TO ISSUING A LICENSE TO FOSTER CARE PROVIDERS.**
- B. OBTAIN AND DISTRIBUTE TRAINING MATERIALS TO FAMILY RESOURCE SPECIALISTS FOR USE BY FOSTER PARENTS.**
- C. ENFORCE THE ANNUAL 15-HOUR ONGOING TRAINING REQUIREMENTS FOR FOSTER PARENTS.**

With the exception of recommendation 5A, the Department concurs with the recommendations.

Recommendation 5A: At this time, it is not possible to require, as recommended, that all foster parents have completed MAPP prior to being licensed.

There are several reasons why compliance with recommendation 5A is not possible at this time. The Department has had difficulty maintaining the needed number of MAPP certified trainers statewide. Ongoing turnover of certified social workers and foster parents means that some areas of the state have either a trained social worker or foster parent, but not both, and in some areas there is no certified trainer. The MAPP ("Model Approach to Partnerships in Parenting") concept is based on social workers and foster parents conducting the training together. The rural nature of the state also precludes requiring MAPP training of all foster parents at this time.

To move closer to compliance with recommendation 5A, in FY94 the Department will train an additional 18 social workers, family resource specialists, and foster parents for certification as MAPP trainers. Eight additional MAPP trainer slots will be available to private agencies on a first-come, first-served basis.

During the period when DFS is building up its capacity to comply with recommendation 5A, the ongoing initial training for new foster parents will continue.

Recommendation 5B: The anticipated timeline for the completion of actions needed to comply with recommendation 5B is 12/1/93. A revised DFS video resource catalog will be distributed to family resource specialists and the state's foster/adoptive parent support groups across the state. These video resources are available to family resource specialists, foster parents and others from the state DFS program officer for training. The Department will investigate the possibility of purchasing some additional, more current materials for its resource library.

The Department has conducted two recent training sessions using inter-active video telecommunications for foster parents and foster care staff (in addition to several inter-active video teleconferences for DFS day care program service providers and child care resource and referral agencies held this past year).

DFS expects to offer additional training for foster parents and DFS social workers using this technology. As we become more familiar with its use, it may be possible to conduct some of the MAPP, MCAN and FRS training by this means.

Recommendation 5C: The anticipated timeline for the completion of actions needed to comply with recommendation 5C is 12/1/94. The Department is aware of inconsistencies found statewide in applying the mandatory foster parent training requirement for relicensing. The Department has identified a need to hire a program officer for children's services licensing in the Program Management Division. If this position can be filled, the licensing program officer will address not only the issues of inconsistency in training requirements but will work on consistent application of all licensing regulations and policies statewide.

RECOMMENDATION 6

THE OLA RECOMMENDS THAT THE DEPARTMENT OF FAMILY SERVICES DEVELOP A FORMAL TRAINING PROGRAM FOR FAMILY RESOURCE SPECIALISTS.

The Department concurs with the recommendation.

The tentative timeline for the completion of actions needed to comply with recommendation 6 is 5/1/94.

The DFS Program Management Division has identified the need to hire a full-time program officer for licensing. This new program officer position would address training for licensing staff as a part of his or her duties. Hiring for this position depends on the availability of personal services funds/vacancy savings.

Because of the small number of licensing staff and a lack of training funds, it has been difficult to conduct initial training that is consistent statewide for FRS staff and their

supervisors.

Although a formal training program and curriculum for FRS Training -- comparable to that provided for child protective services workers, community social work supervisors and adult protective services workers -- cannot realistically be prepared before 5/1/94, the following interim training measures are planned:

- A. Training, scheduled for late October, 1993 with the DFS field staff that are licensing therapeutic youth group homes.
- B. Establishing a standing committee for licensing.
- C. Basic training for all family resource specialists and their supervisors on (a) the foundations of sound licensing practices and their relationship to consensus-building, networking, training and other effective methods for gaining compliance with licensing standards and (b) updated DFS licensing policies and the rationale for such policies. The genesis of this came from DFS staff who participated this past August in a national consultation on licensing and builds on what was learned at this national licensing conference.

Planning for this FRS basic training will involve a partnership between DFS Central Office staff, members of the new standing committees on licensing and training and representatives of various providers' groups affected by licensing, and it is expected that this training will occur in the late fall, 1993 or early winter, 1994. An evaluation of this FRS basic training will be considered in the development of the formal training program for family resource specialists. In addition, the Department's newly-appointed standing committee on training will be examining options for initial and ongoing training for family resource specialists and their supervisors.

RECOMMENDATION 7

THE OLA RECOMMENDS THAT THE DEPARTMENT OF FAMILY SERVICES:

- A. CLARIFY AND RESTRUCTURE FOSTER CARE LICENSING STANDARDS TO ENSURE CONSISTENT APPLICATION.**
- B. UPDATE POLICIES AND PROCEDURES REGARDING LICENSING.**
- C. COMMUNICATE THE PURPOSE AND INTENT OF LICENSING STANDARDS AND POLICIES AND PROCEDURES TO DEPARTMENT PERSONNEL.**

The Department concurs with the recommendations.

The tentative timeline for the completion of actions needed to comply with recommendation 7 is 5/1/94. Completion of actions related to this recommendation is dependent upon the

timing of the hiring of a new program officer for children's services licensing. Hiring for this position depends on the availability of personal services funds/vacancy savings.

If the Department is able to hire a new program officer for licensing in the Program Management Division, that staff person will be assigned the responsibility for addressing each of the recommendations, in coordination with the new DFS standing committees on licensing and training.

The Department will soon be appointing the members of a DFS standing committee on licensing. The standing committee will have its first meeting this November and is expected to meet three or four times a year to work on identified licensing issues. Their recommendations will be coordinated with the DFS standing committee for training.

At its first meeting, the standing committee on licensing will review drafts of updated policies concerning day care and adult services licensing, as the first part of a DFS process that will update all licensing policies and result in the issuing of a completely updated DFS policy manual for licensing.

As mentioned in the response to recommendations 5 and 6, DFS will conduct basic training for all family resource specialists and their supervisors on (a) the foundations of sound licensing practices and their relationship to consensus-building, networking, training and other effective methods for gaining compliance with licensing standards and (b) updated DFS licensing policies and the rationale for such policies.

RECOMMENDATION 8

THE OLA RECOMMENDS THAT THE DEPARTMENT OF FAMILY SERVICES IMPLEMENT A REVIEW PROCESS TO ENSURE COMPLETE DOCUMENTATION EXISTS FOR FOSTER CARE LICENSING FILES.

The Department concurs with the recommendation.

The anticipated timeline for the completion of actions needed to comply with recommendation 8 is 4/1/94.

When hired, the new program officer for licensing will work with the standing committee for licensing to develop policies and procedures for licensing files statewide.

In addition, the initial phase of the new DFS quality assurance program, referenced in recommendation 10, will include a review of a sample of foster care licensing files and will monitor compliance with DFS policies and procedures concerning documentation in such files.

RECOMMENDATION 9

THE OLA RECOMMENDS THAT THE DEPARTMENT OF FAMILY SERVICES:

- A. ESTABLISH PROCEDURES FOR OBTAINING FRS WORKLOAD/CASELOAD DATA.**
- B. DEVELOP AND IMPLEMENT PROCEDURES FOR ANALYZING FRS STAFFING PATTERNS, INCLUDING ANALYSIS OF WORKLOAD/CASELOAD INFORMATION.**
- C. ANALYZE CURRENT FRS STAFF LEVELS AND DISTRIBUTION AND, IF NECESSARY, ADJUST ACCORDINGLY.**

The department concurs with the recommendations.

The Administrator of the Regional Services Division (RSD), in collaboration with the new licensing program officer and with FRS staff and their supervisors, will establish procedures for obtaining FRS workload/caseload data.

Implementation of such procedures, however, is dependent upon implementation of the new DFS CAPS (Child and Adult Protective Services System) case management data system. Only upon implementation of the CAPS case management data system, will DFS be in a position to do a complete and comprehensive FRS staffing pattern and workload analysis (as distinct from relatively incomplete snapshot studies of FRS work and caseloads).

Since the tentative timeline for CAPS development is pilot implementation by 12/94 and full implementation by 7/95, the anticipated timeline for the completion of actions needed to comply with recommendation 9 is 12/1/95.

DFS' current management information system ("Client DataBase") cannot provide information needed to determine FRS workloads and caseloads. Licensing activity now captured as part of Client DataBase is related to foster care payments, not to the measurement of FRS activities.

In the interim, the RSD Administrator will conduct an initial analysis of FRS staffing patterns on a region-by-region basis, recognizing, however, that the current DFS Client DataBase computer system cannot provide reliable, analyzable historical data on FRS workloads and caseloads.

Some staff/FTE adjustments are currently being made by the RSD Administrator, based on a review of foster care and CPS investigations caseload data and regional populations, and this data, along with other studies, may be used to adjust the distribution of FRS FTEs.

RECOMMENDATION 10

THE OLA RECOMMENDS THAT THE DEPARTMENT OF FAMILY SERVICES PERIODICALLY EVALUATE THE EFFECTIVENESS OF FOSTER CARE PROGRAMS.

The Department concurs with the recommendation.

DFS' current management information system ("Client DataBase") cannot provide information needed to systematically determine the effectiveness of foster care programs. Therefore, full implementation of such an evaluation process is dependent upon implementation of the new DFS CAPS (Child and Adult Protective Services System) case management data system.

Since the tentative timeline for CAPS development is pilot implementation by 12/94 and full implementation by 7/95, the anticipated timeline for the completion of actions needed to comply with recommendation 10 is 12/1/95.

In the interim, DFS will begin the initial phase of a new quality assurance program that will start to address the effectiveness of DFS foster care programs.

In support of the DFS commitment to provide adequate attention to quality assurance expressed in the FY94 Title IV-B Child Welfare Services Plan submitted August 28, 1993 to the Administration for Children and Families, DFS will be creating and implementing a quality assurance program.

Although certain portions of a complete quality assurance program can be initiated without the new CAPS case management data system, only when the CAPS system is a reality will DFS be able to systematically evaluate the effectiveness of the DFS foster care programs by tracking critical success variables and crucial client outcomes for all children in DFS' care.

This new DFS quality assurance program will be a joint Central Office and field staff team effort, and will include (in its initial phase, prior to CAPS), review of a sample of foster care and licensing case records by the Program Management Division, in collaboration with DFS field staff.

The quality assurance program will study a sample of foster care records and cases for critical success variables (key client outcomes) related to the well-being of the children in foster care such as family reunification, contacts with natural parents, permanency plans, attention to medical and educational needs, independent living planning, compliance with well-constructed case plans, etc.

The DFS standing committees will assist the Department with identifying critical success variables and preferred client outcomes in social work practice, foster care placement and licensing.

Also as part of the quality assurance plan, the Department will seek ways of strengthening the work of the foster care review committees (FCRCs) -- by interviewing FCRC members, by studying and evaluating their work and, on the basis of that evaluation, taking action (including training) to increase the effectiveness of FCRC work.

Under law and policy, the state's FCRCs have the responsibility of reviewing, at a minimum of every six months, each child's progress in foster care and whether the case plan is being implemented. FCRC reviews are crucial to quality assurance since FCRC reviews must consider issues such as the continuing necessity and appropriateness of the placement, the extent to which services have been provided in accordance with the case plan, and the extent of progress which has been made toward alleviating or mitigating the causes necessitating the placement in foster care. The FCRCs' review must also project a likely date by which the child may be returned home or placed for adoption or legal guardianship.

The report from the Legislative Auditor's Office pointed out the value of interviewing field staff and foster parents. As part of the DFS plan for quality assurance that will be created, DFS quality assurance team members will contact foster parents and placing workers to determine (a) whether workers are maintaining contact with foster parents per the case plan and (b) whether appropriate information is being shared with the foster parents.

The Department will coordinate its quality assurance review findings with the DFS Children's Services Reform and Refinancing Project, and will share foster care program data with the Montana Kids Count Project (coordinated by the Healthy Mothers/Healthy Babies Coalition, HM/HB) to help produce a Montana "report card" on the condition of children and youth in Montana. The HM/HB Kids Count report card considers the number of children in out-of-home placement a critical indicator of the condition of children.

Finally, the Department is allocating considerable staff time and financial resources to the development of a new case management data system, CAPS. Gaps in vital information is hindering progress in evaluating the effectiveness of programs. The CAPS project will generate information crucial to DFS quality assurance action plans.

